

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK

DISNEY ENTERPRISES, INC.,

Plaintiff,

– against –

FINANZ ST. HONORÉ B.V.,

Defendant.

Case No. 13 Civ. 6338 (NG) (SMG)

NOTICE OF MOTION

PLEASE TAKE NOTICE that, upon the accompanying (i) Declaration of William Thomashower, dated February 16, 2018, and the exhibits annexed thereto, (ii) Plaintiff Disney Enterprises, Inc.’s (“DEI”) Memorandum of Law in support hereof, and (iii) all of the prior proceedings held herein, Plaintiff DEI will move this Court before the Honorable Nina Gershon, located at the United States District Court for the Eastern District of New York, Courtroom 6D-S, 225 Cadman Plaza East, Brooklyn, New York 11201, on a date and time to be directed by this Court, for an Order, pursuant to Fed. R. Civ. P. 69 and Article 52 of the CPLR:

- (i) granting DEI’s motion for an order directing Finanz to turn over to DEI:
 - a. Finanz’s domestic and international trademarks;
 - b. the licenses pursuant to which Finanz’s affiliates exploit Finanz’s marks;
 - c. the fragrance oil formulas and product formulations for the products Finanz’s affiliates make and sell using Finanz’s marks,
 - d. the licenses pursuant to which Finanz’s affiliates exploit those oil formulas and product formulations;
 - e. the copyrights associated with those products; and
 - f. the licenses pursuant to which Finanz’s affiliates exploit Finanz’s copyrights (collectively, the “Property”);

- (ii) alternatively, granting DEI's motion for the appointment of a receiver empowered to collect and preserve the Property, value and liquidate that Property sufficient to satisfy the Judgment, and hold such proceeds until such time as any conflicting claims of priority are resolved; and
- (iii) for such other and further relief as this Court may deem just and proper.

Dated: New York, New York
February 16, 2018

PRYOR CASHMAN LLP

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